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may be filed as a Separate Compilation.

PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated
and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented
to by the Governor on the 29th March, 2003 is hereby published for
general information.

V. M. KOTHARE,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 18 OF 2003.

(First published, after having received the assent of the Governor in
the "Gujarat Government Gazette", on the 31st March, 2003).

AN ACT

further to amend the Bombay Court - fees Act, 1959.

It is hereby enacted in the Fifty-fourth Year of the Republic of India
as follows :-

1. (1) This Act may be called the Bombay Court-fees (Gujarat
Amendment) Act, 2003.

Short title and
commencement

(2) It shall come into force on such date as the State Government may,
by notification in the *Official Gazette*, appoint.

Amendment of
Section 6 of Bom.
XXXVI of 1959.

2. In the Bombay Court -fees Act, 1959 (hereinafter referred to as "the principal Act"), in section 6, -

- (l) in clause (iv),-
 - (a) in sub-clause (a), for the words " fifteen rupees", the words "thirty rupees" shall be substituted;
 - (b) in sub-clause (d),-
 - (i) for words " eighteen rupees and seventy- five naye paise", the words "forty rupees" shall be substituted;
 - (ii) in the proviso, for the words " fifteen rupees", the words "thirty rupees" shall be substituted;
- (c) in sub-clause (e), for the existing Table, the following Table shall be substituted, namely :-

"TABLE"

AREA (1)	FEES (2)
(a) The area within the limits of the Municipal Corporation	One fourth of the <i>ad valorem</i> fee leviable for a suit for possession of the servient tenement or the dominant tenement, whichever is less subject to a minimum fee of Rs. 30/-
(b) Area within the limits of the Municipality	One-sixth of the <i>ad valorem</i> fee leviable for a suit for possession of the servient tenement or the dominant tenement, whichever is less, subject to a minimum fee of thirty rupees.
(c) Any other area in the State of Gujarat.	Thirty rupees;".
(d) in sub-clause (f),-	
(i) for the words "thirty rupees ", the words "sixty rupees" shall be substituted;	

(ii) in the proviso, for the words "fifty rupees", the words "one hundred rupees" shall be substituted;

(e) after sub-clause (h), the following sub-clauses shall be inserted, namely :-

For avoidance of sale, contract for sale etc.

"(ha) In suits for declaration that any sale or contract for sale or termination of the contract for sale, of any moveable or immoveable property is void - one half of *ad valorem* fee leviable on the value of the property;

For avoidance of acquisition proceedings.

(hb), In suits for declaration that any proceedings for compulsory acquisition of any moveable or immoveable property are void - one half of *ad valorem* fee leviable on the value of the property ;",

(f) in sub-clause (i), for the words "twenty rupees", the words "one hundred rupees" shall be substituted;

(g) in sub-clause (j) , for the words "thirty rupees", the words "one hundred rupees" shall be substituted;

(2) in clause (v), -

(a) in sub-clause (a), for the words "twelve and a half times", the words "twenty times" shall be substituted;

(b) in sub-clause (b), for the words, "twenty times", the words "forty times" shall be substituted;

(c) in sub-clause (c) , for the words "twenty times", the words "forty times" shall be substituted;

(3) in clause (viii), for the words "fifteen times", the words "thirty times" shall be substituted.

3. In the principal Act, in Schedule I, -

(1) for Article I, the following shall be substituted, namely:-

Amendment of Schedule I to Bom. XXXVI of 1959.

“1.	Plaint or memorandum of appeal (not otherwise provided for in this Act) or, of cross objection presented to any Civil or Revenue Court.	When the amount or value the subject matter in dispute does not exceed one hundred rupees.	Twenty rupees.
		When such amount or value exceeds one hundred rupees for every ten rupees, or part thereof, in excess of one hundred rupees, upto one thousand rupees.	Two rupees
		When such amount or value exceeds one thousand rupees, for every hundred rupees, or part thereof, in excess of one thousand rupees, upto ten thousand rupees.	Twenty rupees
		When such amount or value exceeds ten thousand rupees, for every one thousand rupees, or part thereof, in excess of ten thousand rupees, upto one lakh of rupees.	One hundred twenty rupees
		When such amount or value exceeds one lakh of rupees, for every ten thousand rupees, or part thereof, in excess of one lakh rupees:	Two hundred rupees
		Provided that the maximum fee leviable on the plaint or memorandum of appeal or of cross objection shall be seventy-five thousand rupees.”;	

(2) for article 10, the following shall be substituted, namely :-

"10. Probate of a will or letters of administration with or without will annexed.

When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on the part of the amount or value in excess of one thousand rupees, upto fifty thousand rupees.

When the amount or value of the property in respect of which the grant of probate or letters is made exceeds fifty thousand rupees, on the part of the amount or value in excess of fifty thousand rupees, upto two lakhs rupees.

When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakh rupees, on the part of the amount or value in excess of two lakhs rupees, upto three lakhs of rupees.

When the amount or value of the property in respect of which the grant of probate or letters is made exceeds three lakhs rupees, on the part of the amount or value in excess of three lakhs of rupees:

Provided that when, after the grant of a certificate under Part X of the Indian Succession Act, 1925, or under Bombay Regulation VIII of 1827 or any corresponding law for the

time being in force, in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of latter grant shall be reduced by the amount of the fee paid in respect of the former grant;".

- (3) in Article 13, in column 3, for the words "thirty rupees", the words "sixty rupees" shall be substituted;
- (4) in Article 15, in column 3, for the words "fifteen rupees", the words "thirty rupees" shall be substituted;
- (5) in Article 16, in column 3, for the words "fifty rupees", the words "one hundred rupees" shall be substituted;
- (6) in Article 17, in column 3, for the words "fifty rupees", the words "one hundred rupees" shall be substituted;
- (7) for the existing Table appearing after Article 17, the following shall be substituted, namely :-

"Table of rates of *ad valorem* fees leviable on the institution of suits.

When the amount of value of the subject matter exceeds	But does not exceed	Proper fee
Rs.	Rs.	Rs.
1	1000	10
1000	2000	200
2000	3000	300
3000	4000	400
4000	5000	500
5000	6000	600
6000	7000	700
7000	8000	800
8000	9000	900
9000	10000	1000

10000	15000	1250
15000	20000	1500
20000	21000	1525
21000	22000	1600
22000	23000	1675
23000	24000	1750
24000	25000	1825
25000	26000	1900
26000	27000	1975
27000	28000	2050
28000	29000	2125
29000	30000	2200
30000	32000	2375
32000	34000	2500
34000	36000	2650
36000	38000	2800
38000	40000	2950
40000	42000	3100
42000	44000	3250
44000	46000	3400
46000	48000	3550
48000	50000	3700
50000	55000	4000
55000	60000	4300
60000	65000	4600
65000	70000	4900
70000	75000	5200

and the fees increases at the rate of Rs. 150 for every Rs.5,000 or part thereof, upto Rs.1,00,000 and over Rs. 1,00,000 at the rates of Rs. 200 for every rupees 10,000 or part thereof, upto Rs.10,00,000 and over Rs. 10,00,000 at the rate of Rs. 1,200 for every Rs.1,00,000 or part thereof, upto Rs.20,00,000 and over Rs. 20,00,000 at the rate of Rs.500 for every Rs.1,00,000 or part thereof, upto a maximum fee of Rs.75,000, for example

Rs.	Rs.
100000	5950
200000	7950
300000	9950
400000	11950
500000	13950
600000	15950

700000	17950
800000	19950
900000	21950
1000000	23950
1100000	25150
1200000	26350
1300000	27550
1400000	28750
1500000	29950
1600000	31150
1700000	32350
1800000	33550
1900000	34750
2000000	35950
2100000	36450
2200000	36950"

Amendment of
Schedule II to
Bom. XXXVI of
1959.

4. In the principal Act, in Schedule II, -
- (1) in Article I, in column 3, -
 - (a) for the words "Twenty *naye paise*", the words "Ten rupees" shall be substituted;
 - (b) for the words "Thirty - five *naye paise* ", the words "Ten rupees" shall be substituted;
 - (c) for the words "Sixty- five *naye paise* ", the words "Twenty rupees" shall be substituted;
 - (d) for the words "One rupee", the words " Fifty rupees" shall be substituted;
 - (e) for the words " Two rupees fifty *naye paise* " , the words "One hundred rupees" shall be substituted;
 - (f) for the words " Fifty rupees", the words " One hundred rupees" shall be substituted;
 - (g) for the words "Twenty rupees", the words "Fifty rupees" shall be substituted;
 - (h) for the words "Five rupees", the words "Twenty rupees" shall be substituted;

- (2) in Article 2, in column 3, for the words "Ten rupees", the words "Fifty rupees" shall be substituted;
- (3) in Article 3, in column 3, for the words "Two rupees", the words "Five rupees" shall be substituted;
- (4) in Article 4, in column 3, for the words "Fifty *naye paise*", the words "Two rupees" shall be substituted;
- (5) in Article 5, in column 3, for the words "One rupee", the words "Five rupees" shall be substituted;
- (6) in Article 6, in column 3, -
 - (a) for the words "Two rupees", the words "Ten rupees" shall be substituted;
 - (b) for the words "Five rupees", the words "Twenty rupees" shall be substituted;
- (7) in Article 7, in column 3, for the words "One rupee", the words "Ten rupees" shall be substituted;
- (8) in Article 8, in column 3, for the words "One rupee", the words "Ten rupees" shall be substituted;
- (9) In Article 9, in column 3, for the words "One rupee twenty-five *naye paise*", the words "Five rupees" shall be substituted;
- (10) in Article 10, in column 3, for the words "Twenty-five *naye paise*", the words "Two rupees" shall be substituted;
- (11) in Article 11, in column 3, for the words "One rupee twenty-five *naye paise*", the words "Five rupees" shall be substituted;
- (12) in Article 12, in column 3, -
 - (a) for the words "One rupee", the words "Two rupees" shall be substituted;
 - (b) for the words "Two rupees", the words "Three rupees" shall be substituted;
 - (c) for the words "Four rupees", the words "Five rupees" shall be substituted;

- (13) in Article 13, in column 3, -
- (a) for the words " One rupee", the words "Two rupees" shall be substituted;
 - (b) for the words "Two rupees fifty *naye paise*", the words "Five rupees" shall be substituted;
 - (c) for the words "Five rupees", the words "Ten rupees" shall be substituted;
- (14) in Article 14, in column 3, -
- (a) for the words "Ten rupees" , the words "Twenty rupees" shall be substituted;
 - (b) for the words "Twelve rupees fifty *naye paise*" , the words "Fifty rupees" shall be substituted;
- (15) in Article 15, in column 3, for the words "Fifty *naye paise*" , the words "Five rupees" shall be substituted;
- (16) in Article 16, in column 3, -
- (a) for the words " Five rupees", the words "Ten rupees" shall be substituted;
 - (b) for the words "One rupee", the words " Five rupees" shall be substituted;
- (17) in Article 17, in column 3, for the words "Thirty -seven rupees fifty *naye paise*", the words "Fifty rupees" shall be substituted;
- (18) in Article 18, in column 3, -
- (a) for the words "Fifteen rupees", the words "One hundred rupees" shall be substituted;
 - (b) for the words "Two rupees fifty *naye paise*", the words " Twenty five rupees" shall be substituted;
 - (c) for the words "Six rupees twenty -five *naye paise*", the words "Fifty rupees" shall be substituted;

- (d) for the words "Twelve rupees fifty *naye paise*", occurring at two places against items (c) and (d), the words "One hundred rupees" shall be substituted;
- (e) for the words "Twelve rupees fifty *naye paise*" against item (e), the words "Fifty rupees" shall be substituted;
- (19) in Article 19, in column 3, for the words "Twenty- five rupees", the words "Fifty rupees" shall be substituted;
- (20) in Article 20, in column 3, for the words "Thirty-seven fifty *naye paise*", the words "Fifty rupees" shall be substituted;
- (21) in Article 21, in column 3, for the words "Thirty -seven rupees fifty *naye paise*", the words "Fifty rupees" shall be substituted;
- (22) in Article 22, in column 3, for the words " Two rupees", the words "Fifty rupees" shall be substituted;
- (23) in Article 23, in column 3, -
 - (a) for the words "Thirty -seven rupees fifty *naye paise*", occurring at four places, the words "Fifty rupees" shall be substituted;
 - (b) for the words "Eighteen rupees seventy- five *naye paise*" the words "Twenty rupees" shall be substituted;
 - (c) for the words "Thirty rupees", the words "One hundred rupees" shall be substituted;
- (24) in Article 24, in column 3, -
 - (a) for the words " One rupee", the words "Two rupees" shall be substituted;
 - (b) for the words "Two rupees", the words "Five rupees" shall be substituted;
- (25) in Article 25, in column 3, -
 - (a) for the words "Two rupees", the words "Five rupees" shall be substituted;
 - (b) for the words "Three rupees", the words "Ten rupees" shall be substituted;

(c) for the words "Six rupees", the words "Fifteen rupees" shall be substituted;

(26) in Article 26, in column 3, for the words "One rupee twenty-five *naye paise*", the words "Ten rupees" shall be substituted;

(27) in Article 27, in column 3, for the words "Sixty-five *naye paise*", the words "Two rupees" shall be substituted;

(28) in Article 28, in column 3, for the words "Two rupees", the words "Ten rupees" shall be substituted;

(29) in Article 29, in column 3, for the words "One rupee", the words "Five rupees" shall be substituted;

(30) in Article 30, in column 3, for the words "One rupee" the words "Five rupees" shall be substituted;

(31) in Article 31, in column 3, for the words "One rupee", the words "Five rupees" shall be substituted;

(32) in Article 32, in column 3, for the words "Five rupees", the words "Ten rupees" shall be substituted;

(33) in Article 33, -

(a) in column 1, the words and brackets "(of Ahmedabad)" shall be deleted;

(b) in column 3, -

(i) for the words "Ten rupees", the words "Fifty rupees" shall be substituted;

(ii) for the words "Fifty rupees", the words "One hundred rupees" shall be substituted;

(iii) for the words "One hundred rupees", the words "Five hundred rupees" shall be substituted;

(34) in Article 34, in column 3, -

(a) for the words "Fifty rupees", the words "One hundred rupees" shall be substituted;

(b) for the words "Ten rupees", the words "Fifty rupees" shall be substituted;

(35) in Article 35, in column 3, -

(a) for the words "Two rupees fifty *naye paise*" occurring at two places, the words "Ten rupees" shall be substituted;

(b) for the words "Five rupees", the words "Ten rupees" shall be substituted;

(c) for the words "One rupee", the words "Ten rupees" shall be substituted;

(36) in Article 36, in column 3, for the words "Five rupees", the words "Twenty rupees" shall be substituted;

(37) in Article 37, in column 3, for the words "One rupee", the words "Twenty rupees" shall be substituted;

(38) after Article 38, the following new Article shall be added, namely :-

1	2	3
"39. Application for adjournment presented		Two rupees."
to the court in any proceedings		

Guj. 12 of
1995.

5. The Bombay Court-fees (Gujarat Amendment) Act, 1995 is hereby **Repeal**
repealed.

Government Central Press, Gandhinagar.